

Constructive Ambiguity: Does it Work?

Comparing the European Union's Energy and Defense Policies

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Abstract: This article explores the paradox of constructive ambiguity. Based on a focused, longitudinal comparison of the European Union's energy and defense policies, we analyze the role played by strategies of ambiguity in European integration. Ambiguity is found to be an attractive strategy for political entrepreneurs when member state preferences are heterogeneous and the EU's legal basis is weak. It is likely to be effective, however, only if it is embedded in an institutional opportunity structure -, that is, a formal-legal context - that entrepreneurs can fold into their strategic repertoire of ideas. While ambiguity can be strategic in circumstances where clarity would create strong opposition, it is not sufficient to entrench a European policy if it does not rest on an institutional basis. This suggests that European political entrepreneurs should be wary of relying on coalition building by ambiguity only.

Keywords: European Union, energy policy, defense policy, ideas, Stanley Hoffmann

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This article assesses the role of “constructive ambiguity” in promoting European integration.¹ Henry Kissinger famously defined constructive ambiguity as “the deliberate use of ambiguous language in a sensitive issue in order to advance some political purpose” (Berridge and James 2003). In an early formulation of the argument we explore in this article, Stanley Hoffmann (1995[1966]: 131) wrote: “There has always been most progress when the Europeans were able to preserve a penumbra of ambiguity around their enterprise, so as to keep each one hoping that the final shape would be closest to his own ideal, and to permit broad coalitions to support the next moves.” Constructive ambiguity has become a received wisdom among Europeanists, a bit like Henry Kissinger’s phone number, Jacques Delors’s unidentified political object, Donald Puchala’s elephant, or the bicycle that cannot stop. Yet it has not been subject to systematic empirical scrutiny.²

While the role of ambiguity remains understudied in EU politics, it is enjoying some currency in related fields such as anthropology, public policy, and international relations. For Murray Edelman (2001: 80), “[a]mbiguity (...) is especially conspicuous in political language because by definition politics concerns conflicts of interests.” Indeed, ambiguity is often seen as a means to conceal or to postpone conflict. Using the example of the “social responsibility” label in the mutual fund industry, Linda Markowitz and her colleagues (2012) argue that strategic actors frame financial products ambiguously to reduce negative reactions in the market. Looking at “agencification” in public administrations, Daniel Moynihan (2006) documents how ambiguity allows policy-makers to overlook negative experiences when they

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² Neil Fligstein (1997), referring to the role of the Delors Commission in producing the Single Market Program, talks of “framing” ambiguity. Speaking of the same program, Nicolas Jabko (2006: 6) also refers to a “fundamental ambiguity” that was “the necessary glue for putting together a winning coalition in favor of European reforms.” While these arguments are congruent with ours, they do not specifically test whether and how ambiguity is constructive.

adopt superficially similar policy concepts. Bruno Palier (2005) has also shown how ambiguity works in his analysis of successive social policy reforms in France, which, he argues, were based on an “ambiguous consensus” around which policy actors attached different meanings. Finally, a number of critical scholars linked to the linguistic turn in International Relations have studied the performative power of “being understood in two or more ways,” for example in global (financial) governance, where ambiguity seems better adapted to actors’ practices than transparency (Best 2011).

Some authors view ambiguity in terms of “incomplete contracting,” whereby the ambiguity of formal treaty provisions encourages policy actors to negotiate the creation of informal rules, which may or may not in turn become formal rules (Farrell and Héritier 2005; Mallard 2009). We operationalize ambiguity differently, namely as a strategy used by political entrepreneurs to communicate with their audiences to push for a policy initiative. The intuitive advantage of ambiguity in communicating policy proposals is that it does not offend those who hold the power to support or block a proposal, what we refer to as the “audience.” Its main drawback is that it may fail to mobilize anyone, or backfire when clarifications are requested. Ambiguity is thus a “double-edged sword” (Mallard 2009).

Focusing on the institutionalization of the EU, our paper looks at (1) the conditions under which ambiguity is likely to be *used* by strategic actors to push for a policy proposal; (2) the conditions under which ambiguity is likely to be *constructive*. Regarding the first question, we argue that political entrepreneurs face two options when trying to mobilize a coalition of actors behind a policy proposal: they can either clarify its intended outcome in order to galvanize support (strategy of clarity), or they can use a label to which different meanings will be attached in order to minimize opposition (strategy of ambiguity). Ambiguity thus appears strategic in circumstances where clarity would face strong opposition. In the context of the EU, it is expected to be an attractive strategy when member state preferences are

heterogeneous and the EU's legal basis is weak. Political entrepreneurs can then bring together powerful actors behind what Jabko (2006: 5) calls a "strategic repertoire of ideas," some elements of which the audience does not substantively agree on. This carries some risks, however, for such coalitions tend to be fragile, a crucial factor explaining why, even though ambiguity is pervasive in social life, political entrepreneurs rarely design it as a conscious strategy.

Regarding the second question, we argue that ambiguous ideas are likely to be effective only if they are embedded in what we call an institutional opportunity structure, that is, a formal-legal context that entrepreneurs can fold into their strategic repertoire of ideas. For the purposes of this article, what makes a strategy constructive is that it strengthens European integration. While we agree with Jabko (2006) that a "political strategy" based on ideas can spur the mobilization of a coalition of powerful actors, we contend that neither the content of ideas nor the social skills of political entrepreneurs are sufficient for a strategy of ambiguity to have long-lasting political effects. A strategy of ambiguity will probably not entrench a European policy if it does not rest, like Delors' Single Market Program did, on an institutional basis. This suggests that political entrepreneurs should be wary of relying on coalition building by ambiguity only.

Research design

Based on a focused, longitudinal comparison, our paper provides a test of the constructive ambiguity argument by comparing two policy domains: energy and defense. The former illustrates a partial success for constructive ambiguity, as the EU's efforts were turned into new treaty articles and substantive policy implementation; the latter, in contrast, represents an instance of failure, as the EU still provides a rather loose intergovernmental commitment with regard to security and defense.

In energy policy, the Commission has tried to expand its competences from single market regulation to a more transversal and comprehensive authority by linking climate change and security of supply within a single narrative. In defense policy, the Council Secretariat has been at the forefront of efforts to forge a common “strategic culture,” made up of different elements from national cultures, which would buttress the development of the common security and defense policy. Comparing these cases is instructive for several reasons. First, while both domains initially rested on a weak treaty basis, they have gone through periods when member state preferences were more or less convergent, thus allowing us to observe the interaction between preferences and strategic decisions. Second, both domains were launched twice at the EU level. Whereas the first attempt, which relied on a strategy of clarity, failed in the 1950s, the second, relying on a strategy of ambiguity, fared better in the late 1990s, suggesting that, under some circumstances, ambiguity is indeed preferable to clarity. Third, once launched, the initiatives had different fates, as the common energy policy made significantly more progress than defense, which stalled after a few years. This variation allows for a comparison of the factors that interact with a strategy of ambiguity to drive or hinder integration. Concretely, our methodology is to process trace the co-variation of strategies of ambiguity and “construction” in these two policy fields over time. This entails identifying (1) the moments when political entrepreneurs pursued a strategy of ambiguity in a policy field; (2) the outcome of the strategy in terms of either weak or strong institutionalization. As a useful comparator, we contrast these occasions with others when the dominant strategy was one of clarity and/or when little European integration took place.

Table 1. The development of the EU’s energy and defense policies, 1950-2010

ENERGY POLICY	I (1950s)	II (1970s)	III (1980s-mid-1990s)	IV (2000s)
Demand conditions	Energy shortages Divergent preferences (France vs Germany)	Oil crisis Convergent preferences	None Divergent preferences (esp. UK)	Climate change crisis Gas crisis Divergent preferences (East vs West)
Institutional opportunity structure	ECSC and Euratom Treaties	No treaty basis	Single Market Program	Competition, internal market, enlargement and role in climate change negotiations
Dominant strategy	Clarity: reconstruction	Clarity: diversification, national independence	Clarity: liberalization	Ambiguity: competition, sustainability, security
Institutional outcome	None	None (a few directives on reserves)	Medium, narrow institutionalization (directives on liberalization)	Expanding institutionalization (energy regulation agency; EU emissions trading scheme)

DEFENSE POLICY	Ia (1950s)	IIa (1960-1980s)	IIIa (late 1990s)	IVa (2000s)
Demand conditions	Korean War Divergent preferences (France vs Germany)	None Divergent preferences (esp. France)	Balkans Wars Divergent preferences (France vs. UK)	None Convergent preferences
Institutional opportunity structure	No treaty basis	No treaty basis (Article 5 in NATO)	No treaty basis	European Defense Initiative
Dominant strategy	Clarity: collective defense	Clarity: European autonomy	Ambiguity: Europe, crisis management, defense	Ambiguity: Europe, crisis management, defense
Institutional outcome	None	None	Weak, expanding institutionalization (political-military bodies in Brussels)	Halted institutionalization (a few missions)

Table 1 summarizes the evolution of energy and defense policy discussions in the EU context.

In our model, demand conditions and institutional opportunity structures interact with

strategic decisions to produce institutional outcomes. The *dominant strategy* describes whether political entrepreneurs, when they pushed for European integration, chose clarity or ambiguity when putting their case. Clarity and ambiguity are, of course, relative concepts. We define a strategy of ambiguity as one that coalesces around a “floating signifier,” as a repertoire of ideas that are not *prima facie* self-contradictory but are intended to resonate with multiple audiences. Jabko, for instance, explains how the Commission played on the term “market” to relaunch the EU in the 1980s, as it could be understood simultaneously as a norm, a constraint, a space, or a talisman, thus appealing to different constituencies. Such a strategy seeks to create diffuse acquiescence, that is, to minimize opposition to a policy proposal by presenting a seemingly innocuous label. A strategy of clarity, by contrast, communicates to a single audience an univocal meaning about the intended outcome of a policy proposal: in other words, it resonates with the beliefs of a pre-existing coalition of actors which it seeks to galvanize. The attempt to create a European Constitution with a clear *finalité politique* would fit this definition.

Identifying *demand conditions* allows us to see whether or not “objective” factors are a necessary cause for policy development to occur. We define the presence of objective demand as the irruption of a crisis on the European agenda, which leads policy actors to believe that current institutional arrangements are untenable (Fligstein and McAdam 2012). We expect political entrepreneurs to favour either ambiguity or clarity depending on whether member state preferences concerning possible responses to the crisis are divergent or convergent. The *institutional opportunity structure* determines whether political entrepreneurs can utilize institutional elements (for example a treaty article) in their strategic repertoire of ideas. Such legal-formal elements may even be loosely connected to the policy proposal. For example, the Commission was able to reshape the electricity sector in the 1990s by relying on its internal market competence even though its energy competence was shallow.

In terms of outcome, we distinguish between degrees of *institutionalization*, encompassing both scope and depth. The scope of institutionalization refers to how widely the EU's competence applies. We consider that institutionalization is weak if the only result of the actions of entrepreneurs is that institutional bodies are created and a small number of activities are organized with no lasting impact. We also look at discursive production: green and white papers, strategy documents, codes of conducts, and so on. Strong institutionalization happens when member states begin to feel the effects of EU policy, that is, when institutional development is translated into tangible and constraining policy outputs, such as binding directives. A European regulatory space is then firmly in place.

A second concern relates to how one illustrates that it was indeed ambiguity that acted as the ideational mechanism making policy development possible. In other words, how can we ascertain that the interaction dynamics outlined above are not spurious? Table 1 suggests that demand conditions and the institutional opportunity structure only take us so far in understanding the setting of energy and defense policies on the EU's agenda, thus it is plausible that ideas have also been a driver of institutionalization, albeit in combination with other variables (Parsons 2002). An additional step is to show that political entrepreneurs put in place a broad coalition around a set of ambiguous ideas. While the creation of a supporting coalition through clarity implies a focus on actors with similar perceptions and expectations, coalition building by ambiguity entails the need to reach out to a diverse group of "strange bedfellows" (Jabko 2006), who interpret the EU's discourse differently. Operationally, this requires documenting which groups bought into which meaning among the menu of meanings encapsulated in the political entrepreneur's discourse. To reconstruct the process of coalition building, we conducted interviews with officials in Brussels (Commission, Council, Parliament) and key member states (France, Germany, United Kingdom, Poland). In the case of energy policy, the main entrepreneur is the Commission and the intended audience

comprises economic, foreign and environment ministries as well as energy firms; for defense, the main entrepreneurs were, first, national diplomats and then the High Representative, while the audience consists of national defense ministries and staffs.

A Competitive, Sustainable and Secure Energy Policy

The EU was created and has evolved in the shadow of energy issues. At its core, the European Coal and Steel Community (ECSC) was about organizing the power necessary for industrial production. When the Treaty of Rome was signed in 1957, it included not only the Common Market but also the European Atomic Energy Community (Euratom). Over the years, however, the energy issue drifted on and off the European agenda, while member states remain anxious to maintain control over energy policy issues.

The 1950-70s: some treaty basis, a strategy of clarity, but no output

The ECSC was created in the context of the acute energy shortages of the post-war period (stage I in Table 1). The joint statement issued by the 6 foreign ministers who signed the Treaty of Paris (1951) made no secret of what the ECSC meant: “In signing the Treaty”, they wrote, “the Contracting Parties have given proof of their determination to create the first supranational institution and thus to lay the real foundations of an organized Europe.”³ One could argue that the six founding members were surprised by how much they had given up during the negotiations. While “supranational” was a strong word in France for symbolic reasons, it was Germany that would have to share its resources. But as investment picked up across Europe in the fifties and sixties, and as the relative importance of coal declined, the Community never had much policy impact. Despite the strong competences bestowed by the Paris treaty on the High Authority, (formally, it enjoyed more autonomy and power than the

³ Joint Declaration by the Signatory Ministers (18 April 1951). Available at <http://www.cvce.eu/viewer/-/content/a5bee6ca-6506-48bb-9bd5-c1aa8487bdfd/en> (accessed December 3, 2012).

European Commission), the ECSC remained fairly toothless. As for Euratom, founded in 1957, it was hamstrung from the start by France's refusal to place its nuclear production under supranational supervision (Mallard 2009).

When the energy crisis hit Europe in the early 1970s, it was caused not by a shortage of European coal, but by a shortage of Middle Eastern oil (stage II). While European governments agreed on the need to do something about this, Brussels was confined to the sidelines. A few directives on oil reserves were adopted⁴ but the major political reaction, led by the US, consisted of the creation of the International Energy Agency in 1974 (Scott 1994). In this context, diversification was the main concern for EU member states, which explains the exploration of the North Sea by the UK or the French vigorous nuclear program— all national initiatives. For most of the 1980s, the EU played only a modest role in energy policy. This is not surprising given abundant oil and gas supplies and the development of national nuclear power.

The 1990s: from clarity to a strategy of ambiguity

The Commission reasserted itself in the 1990s, in the wake of the Single Market Program (stage III). Renewed action on the energy front was not a response to any perceived crisis, but a spinoff from the Commission's liberalization drive. Although electricity was not even mentioned in the 1985 White Paper on the Internal Market, a first directive on the internal electricity market, based on a 1988 working paper, was adopted in 1996. It provided for limited third party access to electricity networks and put an end to the monopolies that had previously dominated the construction of power lines and power stations (Eising and Jabko 2001). As far as electricity was concerned, market liberalization was unambiguous. It was not

⁴ The Council of Ministers adopted a first directive (68/414/EEC) in 1968: Member States were asked to maintain a minimum stock of crude oil and/or petroleum products for 65 days of consumption. Growing concerns about import dependence led to an increase of this strategic reserve to 90 days in 1972 (directive 72/425/EEC). Similar measures to secure stocks of fossil fuels followed in 1973 (73/238/EEC) and 1975 (directive 75/339/EEC) in the wake of the 1973 oil crisis.

presented as an energy policy *per se*. Throughout these years, the Commission attempted to break down national and regional monopolies by using its competition and internal market authority. As Eising and Jabko (2001: 747) point out, “the fact that Single Market agenda imposed itself as a generic horizon of EU policy making undoubtedly bolstered the odds for liberalization in the electricity sector”. Although it took some time, this resulted in real institutionalization, but over a narrow set of issues - essentially the breaking down of monopolies. Despite its initial misgivings about the Single European Act, the UK came round to support this liberalization strategy, which paved the way for two more energy packages, covering electricity and gas, to be adopted in the 2000s. The directives imposed the unbundling of power generation, transmission and distribution in the European market.

The Commission’s ambition to create a full-fledged energy *policy* appeared later, in the 2000s, as a security and an environmental dimension were added to the market one. The Commission’s discourse became more complex and more ambiguous. A series of gas shortages that affected the EU’s new member states and the threat of climate change dominated the EU’s agenda during this decade, fueling a sense of urgency (Andoura et al. 2010). The Commission piggybacked on its growing role in enlargement and post-Kyoto international climate negotiations to push for concerted action vis-à-vis Eastern partners and climate change (stage IV). Brussels used these institutional developments as well as its more clearly established internal market competence to stake out a role in energy policy beyond liberalization. While successive gas crises involving Ukraine and Russia (in 2006 and 2009) were used to justify the need for a common energy policy (Crooks 2007), a climate and energy package was adopted in 2008 to implement the so-called 20-20-20 targets: by 2020, the EU has to reduce its CO₂ emissions by at least 20% below the 1990 level, to increase its share of renewable energy to 20% of energy production, and to upgrade its efficiency to reduce energy consumption by 20%.

Under the leadership of first, Romano Prodi and then Jose Manuel Barroso, the Commission framed the need for a common energy policy under its guidance by linking three issues: the internal market for energy, climate change, and external action with regards to the security of supply. This strategic repertoire of ideas crystallized between 2000 and 2010, as illustrated by the deluge of publications with almost identical titles: the Green Paper *Towards a European Strategy for the Security of Energy Supply* (2000), the Green Paper *A European Strategy for Sustainable, Competitive and Secure Energy* (2006), and the Green Paper *Towards a Secure, Sustainable and Competitive European Energy Network* (2008).

Linking competition, sustainability and security, this strategy of ambiguity targeted a diverse group of economic and political actors. It resonated with numerous different audiences, ranging from large energy firms in Western Europe looking for investment opportunities and a stable business environment (EDF, GDF Suez, Vattenfall, E.On, RWE) to environmental groups seeking to promote energy efficiency (Greenpeace, World Wildlife Fund), and from a German government trying to entrench its climate change policy in a European framework to insecure political leaders in the East looking for leverage vis-à-vis Russia.

On the surface, there is a consensus on the importance of a common energy policy among governments, firms, and interest groups. Yet, as a German civil servant puts it, “they want the same thing, but for different reasons” (interview with authors, April 2011). The representative of a Brussels-based electricity association explains that European governance is fundamental and that a common energy policy, a common approach to security and a European design for energy markets are absolutely necessary (interview with authors, April 2011). But there is disagreement about what this means in practice. Some German utilities, which produce conventional energy and have neglected renewable energy for a long time, are less enthusiastic about a common energy policy, fearing the costs of CO₂ emissions trading (interview with authors, April 2010). For its part, the Green movement sees a common energy

policy as a way to anchor measures to tackle climate change, such as enhanced energy efficiency and more ambitious targets for renewables. In this, they enjoy the support of certain industrial actors, such as Enercon, that are seeking to benefit from their first mover advantage in the renewable technology market.

The ambiguity of the Commission's strategic repertoire of ideas is further illustrated by the fact that governmental support is variable on the three issues. While countries like France, the UK and especially Germany push the climate agenda, Eastern member states and, in particular, Poland, highlight security. A Polish energy expert sums up the selective use of ambiguity as follows:

So, the Commission claims that there should be a balance between these three issues, but actually the problem is that, from the national perspective, each member states builds a hierarchy, using these three. If you look at Polish issues, then you can definitely put the supply issue at the top: it is the priority – how to make us less vulnerable to any potential problems with the supply from the East. Then, recently, the climate issue emerged not as an opportunity but as a challenge because of our coal dependence. Lastly, it's the market issue, which is still, I think, on the bottom of the Polish debate over energy policy, although for the Commission it is actually one of the corner stones (...) we Poles, generally speaking, are afraid of these invisible market instruments that are to govern our security (interview with authors, April 2010).

For their part, German and French civil servants and energy experts affirm that their countries do not need the EU to ensure energy security. A German official insists, for example, that it is the role neither of the state nor of the EU to negotiate with Russia on behalf of private utilities. For his French counterpart, the *Quai d'Orsay* is well connected and does not require the EU's help (interviews, April 2010, May 2011). Neither the Germans nor the French

openly oppose an external relations dimension to the EU's energy policy, but nor do they strongly favour it.

Institutionalization in the 2000s

To what extent has the Commission's strategy of ambiguity been translated into the creation of a European regulatory space overseeing competition, sustainability, external relations? In 2009, the Lisbon Treaty introduced energy as a shared competence, whereby member states cannot exercise authority when the Union has done so. Article 194 of the Treaty on the Functioning of the European Union reads as follows:

In the context of the establishment and functioning of the internal market and with regard for the need to preserve and improve the environment, Union policy on energy shall aim, in a spirit of solidarity between member states, to: a) ensure the functioning of the energy market; b) ensure security of energy supply in the Union; c) promote energy efficiency and energy saving and the development of new and renewable forms of energy; and d) promote the interconnection of energy networks. (...)

While nominal support for the notion of a common energy policy has been broad, the Commission faced and continues to face, different institutional opportunity structures with regards to the three policy domains. We find that more progress was made when the Commission was able to seize institutional opportunities to push its strategy of ambiguity, such as when it relied on its exclusive or shared competences over competition or the internal market to regulate electricity and gas production and distribution, or when it piggybacked on its growing role in climate negotiations to regulate energy consumption. But when it comes to external relations, the Commission has few institutional elements to embed in its strategic repertoire of ideas. While the demand conditions for a single policy in this area are strong, the Commission's strategy has not convinced member states to alter their positions.

With regard to the market dimension, institutionalization has shifted from informal policy networks to the creation of an independent, central European body. As Thatcher and Coen (2008: 8) note for other European regulatory spaces, “there has been a thickening of organizations and rules concerning regulation.” To push the liberalization process, the Commission, first, established informal structures to bring together state and non-state actors, notably the Florence Forum for electricity and the Madrid Forum for gas. Subsequently, it moved to more formal venues by creating the Council of European Energy Regulators (CEER), followed by the European Regulators Group for Electricity and Gas (ERGEG). Finally, the European Agency for the Cooperation of Energy Regulators (ACER), was created under the third energy package in 2009 and has been operational since March 2011. ACER coordinates the activities of national regulators, contributes to the establishment of European network rules, and makes binding decisions concerning access and operational security for cross border infrastructures (Jegen 2011).

Climate change has also seen some degree of institutionalization, notably with the creation of the EU Emissions Trading Scheme (2003 directive amended in 2004, 2008 and 2009). The EU ETS is based on a legally binding “cap and trade” system, under which firms receive emission allowances to trade on the market. Because it is based on directives, this scheme allows the Commission to refer member states to the European Court of Justice if they do not fulfill their obligations. During the first (2005-2007) and second (2008-2012) phases of the EU ETS, member states allocated allowances to their national companies; in the third phase, beginning in 2013, allowances will be auctioned at the EU level. At the moment, the EU ETS covers emissions from electric utilities, combustion plants, oil refineries, iron and steel works, and different energy intensive factories (cement, pulp and paper, etc.). The intention is to extend it to airlines and other industries (such as aluminum and petrochemicals).⁵ Another

⁵ http://ec.europa.eu/clima/policies/ets/index_en.htm (accessed June 9, 2011)

step towards institutionalization was the creation of the Directorate-General for Climate Action in 2010, and the transfer of the climate dossier from the DG Environment. Among the mandates of new the DG CLIMA are international negotiations on climate change, issues of climate adaptation, the implementation of the EU ETS as well as the monitoring of the EU's 2020 targets.

Although it received a great deal of media attention, much less institutionalization has occurred with regard to energy external relations. The EU has launched various initiatives with an energy component, for example in the context of the European Neighborhood Policy or with OPEC. Despite the creation of a Network of Energy Security Correspondents (NESCO) in 2007, most of these initiatives were *ad hoc* and toothless (Youngs 2009). Although the European External Action Service (EEAS) has been active since 2010 and features energy among its global challenge policies,⁶ it is difficult to detect energy security-related activities that have a structuring effect on member states. Profound differences between them in terms of energy mix, suppliers, and external political allies mean that the interests of member states remain heterogeneous, limiting the potential for a single EU voice.

Summary

With the exception of electricity liberalization - originally framed not as an energy policy but a competition issue - the major durable European energy policy initiatives were cast in a “penumbra of ambiguity.” The ECSC and Euratom designs were unambiguous in that they entailed the supranationalization of coal, steel and nuclear power. By and large, they were failures, as member governments refused to play ball as soon as they understood what was at stake. The creation of an internal electricity market in the late 1990s was much more successful, even in the absence of strong demand, because it formed part of a larger liberalization drive that galvanized important actors. In contrast to these experiences, the

⁶ http://eeas.europa.eu/energy/index_en.htm (accessed June 9, 2011)

Commission's current strategy relies on ambiguity, as it links energy with the environment, liberalization, and external relations. This was necessary to placate audiences as diverse as public utilities, conservative politicians, and Green activists. But as we have seen, its implementation succeeded only where the Commission was able to exploit institutional opportunities such as treaty competences or its formal role in international negotiations. And while there is now a regulatory framework in place, member states maintain control over core energy issues such as energy mix, energy taxation, and especially suppliers.

European Defence, Peace, and Crisis Management

The project of a European defense policy is as old as the EU – in fact much older, since blueprints for a European army can be found as far back as the 16th Century. Different initiatives were put forward during the Cold War and post-Cold War period, notably the European Defense Community (EDC), the European Security and Defense Identity (ESDI), and the Western European Union (WEU). Some were pushed through a strategy of clarity and others through a strategy of ambiguity, but all of them were more or less stillborn, due to either persistent divergences among European states themselves, or the presence of a US-backed alternative - NATO. Launched in 1998, the Common Security and Defense Policy (CSDP) initially fared a little better, but has not led to substantial institutionalization.

The 1950s-1980s: Clarity in the EDC and NATO

The first serious defense integration project emerged in 1950, when France, under Prime Minister René Pleven, proposed the creation of the EDC (stage Ia in Table 1). Like the ECSC, the “Pleven Plan” was the brainchild of Jean Monnet. And like the ECSC, which was launched a few months before, it offered a solution to the problem of Germany's reconstruction. Germany would be allowed to rearm, provided that its armed forces were fully integrated in a West European structure. A supranational commissariat would be created to manage a common defense budget. Europe-based armed forces would be integrated at the

battlegroup-level and would provide Europe's contribution to the Atlantic Alliance. As its critics recognized at the time, the EDC was a highly ambitious project that flew in the face of national sovereignty.

The reasons behind France's proposal are well known. Faced with the Korean War, the US made it clear that Europeans would have to take care of the Eastern front. This implied a significant military contribution from Germany. Washington exerted strong pressure on Paris to accept German rearmament. As John Foster Dulles put it, Europe would face an "agonizing reappraisal" if it failed to comply. However, only five years after the end of World War II, the notion of German rearmament remained anathema to the French (Duchin 1992).

Signed in 1952 by France, Germany, Italy and the Benelux countries, the Treaty of Paris, which created the EDC, was killed when the French National Assembly refused, by a small but cross-party majority, to ratify it (Aron and Lerner 1956). Political and military leaders had become increasingly critical of what they called the "European Army." Against the background of the two colonial wars in which France was engaged - in Indochina and Algeria - the idea of committing French soldiers to an anti-Soviet supranational authority could not be countenanced by Gaullists, Communists, and large sections of public opinion. There was no room for ambiguity in what Raymond Aron (quoted in Parsons 2003:68) called "the greatest ideological and political debate France has known since the Dreyfus affair."⁷

⁷ Our interpretation may appear contradictory with Grégoire Mallard's who, in his forthcoming book, argues that ambiguity (which he opposes to transparency and opacity) was the main strategy adopted by the negotiators of the EDC treaty. The disagreement is based on a different operationalization of ambiguity, and it is useful to contrast it with ours. For Mallard, the ambiguity of formal treaty provisions encourages policy actors to negotiate the creation of informal rules, which may or may not in turn become formal rules. Rather than focusing on treaty negotiations like he does, we look at how political entrepreneurs communicate with their audiences to push for a policy initiative. While the content of treaty provisions may have been ambiguous, there was, in the debates leading to the National Assembly vote that defeated the treaty, growing agreement on what the EDC meant, namely the creation of a European Army. The interpretation that thus crystallized may have been wrong, of course, but one would be hard pressed to imagine what could have been a clearer strategy than presenting the EDC "like a quasi-federation."

As a result of this failure, Germany and Italy joined NATO in 1955. The WEU, which was supposed to become the European arm of the Alliance, remained dormant. For the next 40 years, military cooperation developed in the NATO framework (stage IIa). For most West European countries, NATO had two advantages as compared to the EDC. First, through a strongly worded mutual defense clause (Article 5 of the Washington Treaty), it provided a US security guarantee; with the end of the Korean War, this became easier for US forces to accept. Second, NATO did not infringe upon the sovereignty of its members to the degree that the EDC would have, in that the military alliance did not amount to political integration. France was the only country that objected to NATO's integrated military structures. Although France charted its own course under the tenure of Charles de Gaulle, the relative stability of the Cold War meant that European initiatives in the field of defense remained merely rhetorical. French proposals for closer Franco-German cooperation and European strategic autonomy were widely thought to be impractical, pointless and even dangerous since European cooperation could undermine European security. The "counter-strategy" of clarity launched by Paris relied on a grandiose discourse that did not resonate outside France.

The 1990s: The Ambiguity of the Saint-Malo Deal

Things changed abruptly with the fall of the Berlin Wall. Again, the field of European security was shattered by the threat of US withdrawal. New opportunities also arose with the planned accession of former Soviet satellites to the EU. When coupled with steeply declining defense budgets, the end of the Cold War made it necessary for European states to find new ways to cooperate among themselves.⁸ Between 1990 and 2000, several options were put on the table. One was to enlarge NATO and transform it into a political organization. Another

⁸ Between 1987 and 1991, defense expenditures as a percentage of gross domestic product (GDP) fell from 4% to 2.8% in France, from 3% to 1.9% in Germany, and from 4.7% to 4.2% in the UK. While defense expenditures in Europe oscillated between 5% and 7% of GDP around the mid-1960s, they had dropped to between 1.4% and 2.3% around the turn of the twenty-first century. These budget cuts led to an important downsizing of European armed forces. Between 1987 and 2001, military personnel declined by 50% in France and 38% in Germany. In the UK, regular forces declined by one-third.

was to strengthen the Organization for Security and Cooperation in Europe (OSCE), building on its large membership and tools for confidence building. A third option was to rejuvenate the WEU and transform it into a fully-fledged military organization (Croft 2000).

By the end of the 1990s, it had become clear that the OSCE did not have the teeth to deal with hard security challenges, notably in the Balkans. The WEU was never seriously tested,, in large part because the security establishment did not take it seriously. The NATO option collapsed in 1997, when France and the US failed to strike a compromise on the distribution of military commands between North Americans and Europeans.

It was in this context that a handful of diplomats designed a fourth option, namely the possibility of giving the EU a military role (Mérand 2010). These diplomats included a group of British Europeanists and French Atlanticists: Robert Cooper (UK Cabinet deputy secretary for defense), Richard Hatfield (political advisor in the the UK Ministry of Defense), Emyr Jones Parry (FCO political director), Marc Perrin de Brichambaut (French Ministry of Defense, director for strategic affairs) and Gérard Errera and Gérard Araud (French foreign ministry political directors). At the December 1998 Saint-Malo Summit, the British and the French agreed to give the EU an autonomous role in defense affairs, so long as this be done in cooperation with NATO. The Saint-Malo Declaration read as follows: “The Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so, in order to respond to international crises.”

Thus CSDP was born (stage IIIa). François Heisbourg (2000: 5) remarked at the time that:

A certain studied imprecision about the eventual destination has ... been essential to the progress of [C]SDP. The strategic purposes of the headline force and the budgetary means necessary to give substance to [C]SDP have been more or less shrouded in a European version of ‘constructive ambiguity.’ This is not an unusual

feature of the European integration process, in which progress has often depended on defining practical objectives first... and deferring to a later stage the consideration of issues of principles and implementation.

As Stanley Hoffman (2000) pointed out, the most ambiguous term in the Saint-Malo Declaration is “autonomy.” For the French, it meant autonomous decision-making, that is, independence from NATO. For the British, it meant autonomous capabilities, that is, the ability to provide a serious European contribution to allied operations. Clarity on this score would have rendered an agreement impossible. Interviewees report that this ambiguity was by design: it was perfectly understood by the negotiators and used strategically to sell the project to their respective domestic and international audiences. After an initially skeptical reaction on the part of US Secretary of State Madeleine Albright, who feared “decoupling, duplication, or discrimination,” Washington decided to buy into the British narrative (apparently after intense lobbying by the defense minister, Lord Robertson).

Since Paris and London were considered to be worlds apart on the issue of defense cooperation, other EU member states quickly lent their support to this unexpected coalition. This included even neutral states, comforted by the fact that CSDP was labeled neither a military alliance nor an army but a crisis management policy. Much care was, of course, taken to show that the CSDP’s remit did not overlap with NATO’s turf (Hofmann 2009). In fact, everybody except hard core Euroskeptics could project his or her own meaning onto CSDP (Mérand 2006). For the French and later the Poles, CSDP was about defense in a dangerous world. For German and the Belgian federalists, it was all about promoting European integration and peace. And for the British or the Swedes, CSDP was one crisis management policy instrument among many others.

Based on this “penumbra of ambiguity,” the European defense initiative was carried forward by the Council Secretariat around a political entrepreneur, High Representative Javier Solana

(Kurowska 2009, Dykstra 2010). Between 2000 and 2005, CSDP made unexpected progress. The EU acquired political-military bodies, such as the Political and Security Committee, the EU Military Committee, the EU Military Staff and later the European Defense Agency. Hundreds of military officers moved to Brussels. More than 20 crisis management operations – 6 of them military – were launched. Considerable efforts were invested in forging a “common strategic culture” among decision-makers and operational planners, for example through the multiplication of institutional bodies in Brussels and the creation of a European Security and Defense College. However, as several authors have noted, the ambiguity remains. The EU has not been able to establish a common strategic culture, whereby European nations would agree on a set of principles regarding the use of force. While the French foreign ministry pushes for ambitious military operations in sub-Saharan Africa, the German defense ministry and parliamentarians are reluctant to intervene beyond the Balkans. The British are generally disengaged and politicians from neutral countries prefer civilian operations to military ones (Meyer 2006, Giegerich 2006).

Overall, defense ministries are no closer to a common vision for European defense than they were a decade ago. While common principles have been agreed by Brussels-based actors, these have not resonated in the capitals, and even less so at the operational level. In a recent study, Alessia Biava (2011: 57) concludes that:

The EU’s emergent strategic culture is ... based on the principle of the projection of forces within a multilateral framework, which implies constructive cooperation and complementarity with International Community efforts and with EU long-term approach on the field relying on Communitarian instruments (*sic*) ... It relies on a flexible, comprehensive, dynamic, and long-term approach, based on an ad hoc and integrated (including civil-military) use of multidimensional instruments, according to the circumstances on the field, on the development of local capacities, implying a

coherent follow-up of the field intervention.

However, there is no agreement on the temporality, geographical scope, or operational concept. That is, there is no agreement on the things that really matter when launching a military operation (Rynning 2011).

This ambiguity is reflected in the European Security Strategy, adopted in 2003, which is a hodgepodge of good intentions, whereby “acting European [is] an end in itself” (Norheim-Martinsen 2011: 525; Biscop 2009). While the French support a muscular approach, the Germans eschew it. While the Belgians want to paint everything blue, the British fear nothing more than a twelve-star flag. And while Italians fear their Mediterranean neighbourhood, the Finns are preoccupied with other areas. Moreover, the very meaning of European defense is contested. As Jolyon Howorth (2004: 229), using Vivien Schmidt’s (2008) discursive institutionalism language, writes:

In the case of France and Germany, the promotion of [C]SDP fit comfortably both with widespread policy preferences among *élites* and with normative responses on the part of the public. In Britain, this was not the case. The policy-makers who launched [C]SDP probably saw the potential for discursive compatibility with their European opposite numbers. But the government, for reasons of electoral calculation, never saw fit to work at that compatibility. A communicative discourse was generated which presented [C]SDP as emanating from a two-fold logic: strengthening NATO and making the world fit for democracy and human rights. These elements were indeed integral to UK thinking, but no attempt was made to explain how they fit with the European nature of the project (indeed, this was occasionally denied), or with the parallel orientations of the major European partners.

Institutionalization Grinds to a Halt

Despite its early success, the European defense process has now run out of steam (stage IVa). The EU has relatively little to show for its defense policy. The UK, but also France and Germany, have more troops under NATO than under EU command. In 2009, France rejoined the military command of NATO and, in 2010, signed with the UK a Defense Cooperation Treaty that does not even mention the EU. While Javier Solana was very active in pushing for new CSDP operations during his tenure, his successor, Catherine Ashton, has shown a conspicuous lack of interest in the security and defense dimension of her job, despite the fact that, formally, she is entrusted with more organizational authority thanks to the Lisbon Treaty. There is a perceived sense in the European security field that CSDP has stagnated, if not gone backwards.

One exception, which does not fall under the purview of CSDP, is the defense industrial sector, where the EU has adopted a series of initiatives that promise to open up the European defense market. The comparison between CSDP and the defense market is instructive. While the latter has not received as much media coverage, it benefits from the fact that it can be framed as an internal market policy, in which the Commission has treaty-based competences (despite Article 296, a security caveat, which has traditionally allowed member states to protect national industries). As a result, the Commission has managed to push forward legislation within a “defense package,” which includes a directive on intra-Community transfers of defense products and a directive on the coordination of procedures for the award of certain public works contracts, public supply contracts and public service contracts in the fields of defense and security (Weiss 2013).

By contrast, CSDP as such suffers from weak institutionalization (Menon 2009). There are no constraining rules, even normative, that appear binding on national security and defense actors. As the EDA’s former director, Nick Whitney (2008:10) writes, “The European Security and Defense Policy badly needs a shot in the arm.” Its success in the early 2000s was

premised on a very active High Representative, Javier Solana, who used the ambiguity of the CSDP repertoire of ideas to build a coalition of diverse actors: the Europeanists, who applauded the rapid development of a new policy domain; the neutrals, who saw CSDP as a way to promote civilian crisis management outside NATO; the French, who saw the EU as a way to provide multilateral cover to their activist policy in Africa. When, towards the end of the decade, the French rejoined NATO, the British elected a Conservative government, the neutrals developed doubts about African adventurism, and the Germans shifted back to their reticent attitude, this political coalition lost traction. Today, beyond a small training mission in Mali, nobody can tell what CSDP is supposed to be for, and few see it moving forward in the absence of stronger institutionalization.

Summary

Unlike some elements of EU energy policy, EU defense policy has not substantially shaped national defense policies. The irony is that a real social structure has been put in place (Howorth 2010, Cross 2010, Mérand et al. 2011). There are hundreds of officials across European capitals and in Brussels whose job it is to make CSDP work. This structure exists because, in contrast to the EDC, political entrepreneurs with few organizational resources were able to play on the heterogeneity of national preferences vis-à-vis defense policy. But, in contrast to market and industrial issues, and also in contrast to the EDC, no regulatory powers were created. Most member states are fairly disengaged from CSDP discussions and contribute little to CSDP operations. There are no constraints pressing member states to conform to common set of objectives and no incentives for them to pool resources. The adoption of a mutual assistance clause in the Lisbon Treaty is widely seen to be subordinate to Article 5 in the NATO treaty, to which it refers (Menon 2009). The very ambiguity of CSDP means that each government can pretend that it is doing “European defense” even when their initiatives have little to do with a single set of priorities. So launching a modest security sector

reform mission in the Congo, deploying a few border officers to the Palestinian territories, launching a joint procurement program, or paying young officers to attend an EU seminar at the *Ecole militaire* can all be presented as CSDP-compatible. None of this is to deny that the EU is ahead of where it was in the late 1990s. But relative to the hyped-up rhetoric of the post-Saint-Malo period, it seems clear that ambiguity has hit the wall.

Why did the strategy of ambiguity fail after a promising start? While there were very few institutional opportunities that political entrepreneurs could exploit in the EU context, NATO provided many. In the first years of CSDP, the Council Secretariat was at pains to emphasize that they would rely as much as possible on NATO assets, capabilities, and goodwill. This reflects the immense organizational advantage enjoyed by the Atlantic Alliance, which provides its members with a strong security guarantee, first-rate planning and conduct capabilities, and proven interoperability standards. Between the ambiguous project promoted by the EU and the clear, US-backed alliance offered by NATO, not a single government, not a single military officer hesitated (Menon 2011, Rynning 2011). The EU met little opposition, but it also failed to mobilize strong support.

Conclusion

This paper has highlighted what can be called the paradox of constructive ambiguity. While ambiguity is everywhere in politics, it is not always used as a strategy by political entrepreneurs. On the one hand, a strategy of ambiguity has been shown to be attractive as a means to respond to strong demands for European action. Given the heterogeneity of EU member states, there may be no alternative when the EU lacks a strong treaty basis, so it is not surprising that ambiguity is manipulated during periods of uncertainty, when opposition to new projects is likely to be strong. We have argued that this strategy was effective when political entrepreneurs (not necessarily the Commission) use it to create a broad coalition

behind a project of integration, or at least secure the acquiescence of key actors. This strategy can find an echo with different audiences – EU and national, public and private - who are not otherwise linked by ideational or institutional structures.

On the other hand, ambiguity proves to be a poor driver of European integration if political entrepreneurs cannot sustain a coalition of actors and fold institutional elements, such as formal-legal resources, into their strategic repertoire of ideas. “Strange bedfellows,” to use Nicolas Jabko’s expression, are by definition hard to mobilize and keep together. Stanley Hoffman believed that the main obstacle to the strategy of ambiguity would be the irruption of a “great clarifier” that would eventually break the charm of ambiguity, and thus the coalition. In this comparison, we found another important factor at play. If political entrepreneurs fail to uncover and exploit institutional opportunities, the conditions that have pushed member states to support European integration may dissolve. We showed this to be the case with the EU’s energy security ambition, which rests on a weak institutional basis, and its defense policy project, which suffers from the abundance of institutional opportunities in a rival organization, NATO.

Nevertheless, constructive ambiguity is an important strategy deployed by national governments, supranational bodies, and national or supranational interest groups to support for their policy objectives. In this sense, it adds an important ideational-institutional mechanism to Jabko’s (2006) “strategic constructivist” framework, specifying the conditions under which entrepreneurs are likely to enact strategies of ambiguity and emphasizing the importance of institutional opportunity structures in explaining their success or failure. More broadly, this underlines the importance of focusing on strategic action and institutional opportunity structures when studying the impact of ideas (Fligstein and McAdam 2012).

In terms of the EU’s future, our research shows that the effects of coalition building by ambiguity are real but limited. Political entrepreneurs should be wary of taking the path of

least “ideational” resistance while neglecting social and institutional elements. As Thomas Risse (1996) famously argued, “ideas do not float freely.” Can European integration move forward without a strong social basis to carry it? Is it possible for it to do so without the presence of constraining formal-legal institutions? As European leaders go from one crisis summit to another, answering these questions would give us a better understanding of what lies ahead for the EU.

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